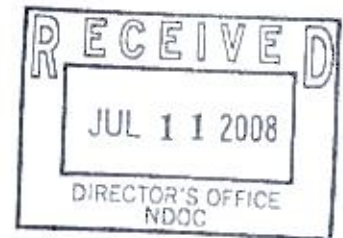


ATTACHMENT E



STATE OF NEVADA
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July 10, 2008

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Re: Board of Prison Commissioners follow-up

Dear Lee:

It was good to see you at the Board meeting Tuesday; thank you for your testimony. I'm taking this opportunity to follow up with the current status of your concerns.

First, the MJ 49 description was missed when AR 707 and its accompanying manual were updated earlier this year. This is a vestige of an earlier time when many Administrative Regulations were confidential. At this point in time, there are a few regulations in the 300 and 400 series that are still confidential, but these should be revised within the next year or so. The new regulations for those issues will not be confidential; the confidential information will be included at the Operational Procedure level. I am advising the NDOC to correct this charge and I expect a technical correction will be made at the next Board meeting. The proof for sustaining a disciplinary charge for MJ 49 would be the real confidentiality of the regulation,

Second, the revised AR 610 is prepared, and will be reviewed for issuance on a temporary basis until the next board meeting. The coming changes to AR 610 were agendized at the June 19, 2008 Wardens' Meeting and the restrictions to minimum custody were lifted. As we discussed, if you get me the names, the NDOC will review now.

Finally, the NDOC and I hope that the new AR 810 on religious practice will resolve many problems. I expect the state of the law regarding the Religious Land Use and Institutionalized Persons Act will continue to change over the next ten years, and this will require frequent revisions to the accompanying manual. Training has already begun on this series of documents, which present some profound changes for staff. I anticipate that there will be a significant learning curve since this is essentially the only area where the NDOC is subjected to strict scrutiny. I hope you will feel free to apprise me of similar complaints on its application you see in the future so these issues can be addressed.

Sincerely,

CATHERINE CORTEZ MASTO
Attorney General

By:


JANET E. TRAUT
Senior Deputy Attorney General
Bureau of Public Affairs
Public Safety Division

JET:agc

cc: Jim Gibbons, Governor, State of Nevada
Ross Miller, Secretary of State
Catherine Cortez Masto, Attorney General
✓ Howard Skolnik, Director, NDOC